



STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

(See Issuing Division below)

PERMIT\*



The New Jersey Department of Environmental Protection grants this permit in accordance with your application, attachments accompanying same application, and applicable laws and regulations. This permit is also subject to the further conditions and stipulations enumerated in the supporting documents which are agreed to by the permittee upon acceptance of the permit.

Permit Nos. 1319-05-0010.1 FHA 090001 (IP)  
1319-05-0010.1 FWW 090001 (IP)

Issuance Date **OCT 29 2009**

Effective Date **OCT 29 2009**

Expiration Date **OCT 28 2014**

Name and Address of Applicant

Name and Address of Owner

Name and Address of Operator

Township of Howell  
251 Preventorium Road  
P.O. Box 580  
Howell, NJ 07731

Location of Activity/Facility (Street Address)

Issuing Division

Statute(s)

Lot: 1.01 & 16.03 Block: 139

Land Use Regulation

NJSA 58:10A  
NJSA 58:16A-50  
NJSA 13:9B

Type of Permit Flood Hazard Area  
Freshwater Wetlands and WQC

Maximum Approved Capacity,  
if applicable

This permit grants permission to:

Stabilize approximately 250 feet of the bank along the Manasquan River, involving the construction of a cellular wall and slight relocation of the stream channel, at a location adjacent to Bergerville Road, within Lot No. 1.01 and 16.03, Block No. 139, in the Township of Howell, County of Monmouth, New Jersey.

Prepared By:

  
Michael Alemzadeh

(See page 11 for supervisor's signature)

Approval of this project is expressly contingent upon permittee completing riparian zone and wetland mitigation requirements as noted in permit conditions.

Revised Date

Approved by the Department of Environmental Protection

Name (Print or Type) \_\_\_\_\_ Title \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_

## **Terms And Conditions**

### **This permit is subject to the following terms and conditions:**

1. This permit is revocable, or subject to modification or change at any time, pursuant to the applicable regulations, when in the judgement of the Department of Environmental Protection of the State of New Jersey such revocation, modification or change shall be necessary.
2. The issuance of the permit shall not be deemed to affect in any way action by the Department of Environmental Protection of the State of New Jersey on any future application.
3. The works, facilities, and/or activities shown by plans and/or other engineering data, which are this day approved, subject to the conditions herewith established, shall be constructed and/or executed in conformity with such plans and/or engineering data and the said conditions.
4. No change in plans or specifications shall be made except with the prior written permission of the Department of Environmental Protection of the State of New Jersey.
5. The granting of this permit shall not be construed to in any way affect the title or ownership of property, and shall not make the Department of Environmental Protection or the State a party in any suit or question of ownership.
6. This permit does not waive the obtaining of Federal or other State or local government consent when necessary. This permit is not valid and no work shall be undertaken until such time as all other required approvals and permits have been obtained.
7. A copy of this permit shall be kept at the work site, and shall be exhibited upon request of any person.
8. In cases of conflict, the conditions of this permit shall supersede the plans and/or engineering data.
9. Limit and Extent of Approval
  - a. This approval grants permission to the applicant and/or its agents to undertake an activity regulated by the State of New Jersey as described by the text of this permit and as detailed by the herein approved plans. Any construction, grading, removal of vegetation, or other activity at this site within or affecting a regulated flood plain, other than specifically approved by this permit or as detailed by the approved drawings, shall require additional approvals from the Department. The commencement of such regulated activities without the appropriate approvals shall be in violation of State law.
  - b. All activities authorized by this permit shall be completed within five years of the issuance date as listed on the first page of this document. At that time, this approval, if not previously revoked, shall automatically become null and void, and none of the activities referenced herein may commence or continue until a new approval has been granted by the Department.
10. Method of Construction
  - a. All activities approved by this permit shall be performed under the supervision and direction of a Professional Engineer licensed in the State of New Jersey, and shall be undertaken using the best management practices available. Furthermore, the site shall

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- be subject to inspection at any time by representatives of the Department to ensure the continuous application of the provisions of this permit.
- b. During the course of construction, neither the applicant nor its agents shall cause or permit any unreasonable interference with the free flow of the stream by placing or dumping any materials, equipment, debris or structures within or adjacent to the stream corridor. Upon completion or abandonment of the work, the applicant and/or its agents shall remove and dispose of in a lawful manner all excess materials, equipment and debris from the stream corridor and adjacent lands.
  - c. All activities authorized by this permit shall be stabilized in accordance with the *Standards for Soil Erosion and Sediment Control in New Jersey* (obtainable from local Soil Conservation District offices), or equal engineering specifications, to prevent eroded soil and sediment from entering adjacent waterways and wetlands at any time during and subsequent to construction. The Department reserves the right to order the suspension of any activity if unacceptable levels of erosion or turbidity result from the same. Furthermore, the applicant shall maintain the stream corridor as shown on the approved drawing/s for either such time as is required for the channel and/or banks to become reasonably stabilized, or for one year after completion of the project (as evidenced by a Certificate of Completion), whichever period of time is longer.
11. **Acceptance of Permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety and agree to adhere to all terms and conditions. If you do not accept or agree with this document in its entirety, **do not** begin construction. You are entitled to request an appeal within a limited time as detailed on the attached *Administrative Hearing Request Checklist and Tracking Form*. You may also contact the project manager shown on the first page if you have any questions or concerns about this document.
  12. **Recording with County Clerk:** You must record this permit in the Office of the County Clerk for each county involved in this project. You must also mail or fax a copy of the front page of this permit to the Department showing the received stamp from each County Clerk within 30 days of the issuance date (or 90 days if multiple counties are involved). The Department's address and fax number are shown on the first page of this permit.
  13. **Notice of Construction:** You must notify the Department in writing at least 7 days before you begin any work approved by this permit. The Department's address and fax number are shown on the first page of this permit. Please direct your letter to the project manager shown on the first page.
  14. In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days after notice of the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, 401 East State Street, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist. The DEP bulletin is available through the Department's website at [www.state.nj.us/dep](http://www.state.nj.us/dep).
  15. *This approval does not in any way affect the right of the State to seek and collect monetary penalties or to take other enforcement action, should it be determined that a violation of the Flood Hazard Area Control Act or the Flood Hazard Area Control Act rules has occurred onsite.*

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16. The Department has approved this Flood Hazard Area Permit because the project satisfies the requirements of the Flood Hazard Area Control Act Rules. The issuance of this permit does not in any way indicate that any other permits, which may be required from the Department, shall also be approved.
17. All excavated material and dredged spoils shall be disposed of in a lawful manner outside of any flood hazard area riparian zone, open water, freshwater wetland and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.
18. Construction equipment shall not be stored, staged or driven within any channel, freshwater wetland or transition area, unless expressly approved by this permit and/or described on the approved plans.
19. All sediment barriers and other soil erosion control measures shall be installed prior to commencing any clearing, grading or construction onsite, and shall be maintained in proper working condition throughout the entire duration of the project.
20. In order to protect the general game fish resource and downstream trout maintenance waters within the Manasquan River, no grading, construction or clearing is permitted within any watercourse onsite between March 15 and June 30. Furthermore, any activity outside a watercourse, which would likely introduce sediment into the watercourse and/or increase its turbidity, is also prohibited during this period. The Department reserves the right to suspend all regulated activities onsite should it be determined that the applicant has not taken proper precautions to ensure continuous compliance with this condition.
21. Vegetation within 50 or 150 feet of the top of the bank within the riparian zone (depending on trout maintenance downstream being less than 1 mile) shall only be disturbed in the areas specifically shown on the approved drawing/s. No other vegetation within 50 or 150 feet of the top of any stream bank onsite shall be disturbed for any reason. This condition applies to all channels onsite regardless of the contributory drainage area.
22. Upon completion of the project, all temporarily disturbed areas within the riparian zone shall be restored to original topography and replanted with indigenous, non-invasive vegetation in accordance with N.J.A.C. 10.2(u).

**Riparian Zone Compensation Conditions**

23. Permittee shall restore all temporarily disturbed upland riparian zone areas (within 150 feet of the top of Manasquan River channel bank) along the Bergerville Road bank with woody vegetation species compatible with the continued maintenance of the cellular wall. Within 90 days of the date of issuance of this permit, the permittee must submit a plan to restore the Riparian zone following excavation and regrading impacts.
24. All replanting of vegetation shall be accomplished in accordance with the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13)
25. In the event that there is a conflict between the permit conditions and the approved riparian zone restoration plans and proposal, the permit conditions take precedent.
26. In accordance with N.J.A.C. 7:13-10.2, the permittee shall assume all liability for accomplishing corrective work should the Division determine that the restoration has not been 100% successful. Remedial work may include but is not limited to re-grading and/or replanting the riparian zone restoration site. This responsibility is incumbent upon the

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permittee until such time that the Division makes the finding that the riparian zone compensation project is successful.

27. Within 5 days following final grading of the riparian zone restoration site or the temporary restoration area, soil compaction must be eliminated should compaction occur during the construction process due to heavy equipment passing over the soil or similar activities.
28. If the Division determines that the riparian zone restoration project is not constructed in conformance with the approved plan, the permittee will be notified in writing and will have 60 days to submit a proposal to indicate how the project will be corrected.
29. As per N.J.A.C. 7:13-10.2, the permittee shall monitor the riparian project for at least three (3) years beginning the year after the riparian zone compensation project has been completed, The permittee shall submit monitoring reports to the Division of Land Use Regulation Mitigation Unit no later than December 31<sup>st</sup> of each full monitoring year.
  - a. All monitoring reports except the final one must include documentation that it is anticipated, based on field data, that the goals of the riparian zone compensation project, as stated in the approved riparian zone compensation proposal and the permit will be satisfied. If the permittee is finding problems with the compensation project and does not anticipate the site will be a full success, then recommendations on how to rectify the problems must be included in the report with a time frame in which they will be completed.

Once the required monitoring period has expired and the permittee has submitted the final monitoring report, the Division will make the finding that the riparian zone compensation project is either a success or a failure. The final monitoring report must document the following:

- a. That the goals of the riparian zone restoration project as stated in the approved riparian zone restoration proposal and the permit has been satisfied.
- b. The site has an 85 percent survival and 85 percent area coverage of the restoration plantings which are species native to the area and similar to ones identified on the planting plan. All plant species in the restoration area are healthy and thriving. All trees are at least 5 feet in height;
- c. Documentation demonstrating the site is less than 10 percent occupied by invasive or noxious species.

**Freshwater Wetland Mitigation Conditions:**

30. Failure to comply with the standards herein constitutes a violation of the Freshwater Wetlands Protection Act and subjects the permittee to appropriate enforcement action and/or suspension or revocation of the permit.
31. Area of disturbance determined strictly from information provided by project plans. Pictorial evidence indicates that some of the wetland area indicated as being disturbed may not be wetland. Permittee shall be responsible for providing a delineation of wetlands on the inside river bank (opposite Bergerville Road bank) to demonstrate that their mitigation requirement may be less than the stated 0.07 acres.

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32. **The mitigation project must be conducted prior to or concurrent with the construction of the approved project.** Concurrent means that at any given time, the mitigation must track at the same or greater percentage of completion as the project as a whole. For example, when the project is 50 percent completed, the mitigation project cannot be less than 50 percent completed.
33. The mitigation proposal must be submitted to the Division for review and approval 90 days **prior to the initiation of regulated activities authorized by this permit.** Activities authorized by this permit shall not begin until the mitigation proposal is approved and the mitigation has begun. The goal of the mitigation plan shall be:
- Mitigate, at a 1:1 ratio, for the loss/disturbance of 0.07\* acres of forested wetlands through either an on-site or off-site creation, restoration or enhancement project as detailed in condition numbers 34 through 52 below, or **mitigate through a commensurate monetary contribution to the Freshwater Wetlands Mitigation Council** [To prepare a monetary contribution application, please use the checklist entitled Checklist for Completeness: Monetary Contribution Proposal located on the Internet at <http://www.nj.gov/dep/landuse/forms/index.html>.)
34. At least **90 days prior to the initiation of regulated activity authorized by this permit**, for an on-site or off-site individual mitigation project, the permittee must submit a mitigation proposal to the Division of Land Use Regulation (Division) for review and approval. The mitigation proposal must include the creation, restoration and/or enhancement of an area of freshwater wetlands of equal ecological value to those that will be lost by the authorized activity. This proposal must include a proposed construction schedule for the mitigation project. **Prior to commencement of regulated activities authorized by this permit, the Division must approve of the proposed mitigation project in writing.** Failure to comply with this condition will subject the permittee to appropriate enforcement action.
- a. The Department strongly recommends that the permittee obtain the Department's conceptual review of any land being considered as a potential mitigation area. The conceptual plan must show the location and proposed hydrology of the mitigation site.
  - b. The permittee must submit a **final design** of the mitigation project and include all the items listed on the checklist entitled Checklist for Completeness: Creation, Restoration or Enhancement for a Freshwater Wetland Mitigation Proposal located on the Internet at <http://www.nj.gov/dep/landuse/forms/index.html>.
35. If the permittee is proposing to construct a wetland creation project, one acre of creation must be performed for each acre disturbed and the creation area must, in addition to this, include a 50 ft transition area. The slope of the created transition area must be fairly flat and therefore have a slope no greater than 10:1. If the permittee is proposing to construct a wetland enhancement project, the ratio of wetlands enhanced to wetlands disturbed shall be sufficient to replace loss of ecological value from the permitted project and shall be approved by the Division.
36. In the event that there is a conflict between the permit conditions and the approved mitigation plans and proposal, the permit conditions take precedent.
37. Within 30 days of final design plan approval pursuant to 4b. above and in accordance with N.J.A.C. 7:7A-15.13, obtain a secured bond, or other financial surety acceptable to the Division including an irrevocable letter of credit or money in escrow, that shall be sufficient to hire an independent contractor to complete and maintain the proposed mitigation should the permittee default. The financial surety for the construction of the mitigation project shall

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be posted in an amount equal to 115 percent of the estimated cost of the construction. In addition, financial surety to assure the success of the mitigation through the completion of the monitoring period must be posted in an amount equal to 115 percent of the estimated cost of monitoring and maintaining the site, including the cost to replant the area. The Division will review the financial surety annually and the permittee shall adjust the surety to reflect current economic factors. If a governmental body is performing the mitigation the need for financial assurance is waived.

38. This permit is not effective until the permittee has completed, signed and filed with the County Clerk (the Registrar of Deeds and Mortgages in some counties) a conservation restriction that meets the requirements of N.J.A.C. 7:7A 15.14. The conservation restriction shall conform to the format and content of the Wetlands Mitigation Area model conservation restriction that is available at: <http://www.nj.gov/dep/landuse/forms/index.html>. The restriction shall be included on the deed, and recorded in the office of the County Clerk (the Registrar of Deeds and Mortgages in some counties), in the county wherein the lands of the mitigation project are located, within 10 days of approval of the final wetland mitigation proposal. Within 10 days of filing the conservation restriction, the permittee must send a copy of the conservation restriction to the Division for verification.
39. At least thirty (30) days in advance of the start of construction of the wetland mitigation project, the permittee shall notify the Division, in writing, for an on-site pre-construction meeting between the permittee, the contractor, the consultant and the Division.
40. The mitigation designer must be present on-site during critical stages of construction of the mitigation project. This includes but is not limited to herbicide applications, sub-grade inspection, final grade inspection, and planting inspection to ensure the intent of the mitigation design and its predicted wetland hydrology is realized in the landscape.
41. Mitigation designs are not static documents and changes may be necessary to ensure success of the project. Should the mitigation designer determine that the mitigation plan as designed and approved by the Division will not achieve the proposed wetland condition due to the actual conditions encountered during construction, the mitigation designer must immediately notify the Division. The mitigation designer must propose an alternative plan to achieve the proposed wetland condition that must be approved by the Division in writing. If the Division provides the mitigation designer with comments on the alternative plan, the mitigation designer shall revise the plan to conform to the Division's comments. Solely the Division shall make the determination as to whether or not the alternative plan as submitted conforms to the Divisions comments. Any modifications to the plan that are approved by the Division must be shown on a signed and sealed revised plan. The As-Built plans required as a part of the Construction Completion Report may serve as the signed and sealed revised plans required to be submitted as part of the construction modification process described above if time constraints warrant such action and have been approved by the Division in writing.
42. The permittee shall assume all liability for accomplishing corrective work should the Division determine that the compensatory mitigation has not been 100% successful. Remedial work may include re-grading and/or replanting the mitigation site. This responsibility is incumbent upon the permittee until such time that the Division makes the finding that the mitigation project is successful.
43. Within 5 days following final grading of the site, a disc must be run over the site to eliminate compaction. The mitigation designer must be present to oversee this phase of the project and confirm with the Division this activity has occurred prior to planting of the site.

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44. Following the final grading of the mitigation site and prior to planting, the permittee shall notify the Division for a post-grading construction meeting between the permittee, contractor, consultant and the Division. The permittee must give the Division at least thirty (30) days notice prior to the date of this meeting.
45. Within 30 days following the final planting of the mitigation project, the permittee shall submit a Construction Completion Report to the Division detailing as-built conditions (see below) and any changes to the approved mitigation plan that were made during construction. The Construction Completion Report shall contain, at a minimum, the following information:
  - a. A completed Wetland Mitigation Project Completion of Construction Form. This form is located on the Internet at <http://www.nj.gov/dep/landuse/forms/index.html> and certifies that the mitigation project has been constructed as designed and that the proposed area of wetland creation, restoration or enhancement has been accomplished;
  - b. As-Built plans which depict final grade elevations at one foot contours and include a table of the species and quantities of vegetation that were planted including any grasses that may have been used for soil stabilization purposes;
  - c. Show on the as-built plans that the boundaries of the wetland mitigation area have been visibly marked with 3 inch white PVC pipe extending 4 feet above the ground surface. The stakes must remain on the site for the entire monitoring period;
  - d. Photos of the constructed wetland mitigation project with a photo location map as well as the GPS waypoints in NJ state plane coordinates NAD 1983;
  - e. To document that the required amount of soil has been placed/replaced over the entire area of the mitigation site, provide a minimum of 6 soil profile descriptions to a depth of 20 inches. The location of each soil profile description should be depicted on the as built plan as well as provide the GPS waypoints in NJ state plane coordinates NAD 1983;
  - f. Submit soil test results demonstrating at least 8% organic carbon content (by weight) was incorporated into the A-horizon for sandy soil and for all other soil types 12% organic content or if manmade top soil was used it consisted of equal volumes of organic and mineral materials;
  - g. The permittee shall post the mitigation area with permanent sign(s), which identify the site as a wetland mitigation project and that all-terrain vehicle use, motorbike use, mowing, dumping, draining, cutting and/or removal of plant materials of the property is prohibited and that violators shall be prosecuted and fined to the fullest extent under the law;
  - h. The signs must also state the name of the permittee, Department's permit number along with a contact name and phone number.
46. If the Division determines that the mitigation project is not constructed in conformance with the approved plan, the permittee will be notified in writing and will have 60 days to submit a proposal to indicate how the project will be corrected. No financial surety will be released by the Division until the permittee demonstrates that the mitigation project is constructed in conformance with the approved plan, all soil has been stabilized and there is no active erosion.

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47. The permittee shall monitor the mitigation project for 5 full growing seasons if it is a proposed forested or scrub/shrub wetland and 3 full growing seasons for an emergent wetland or State open water beginning the year after the mitigation project has been completed. The permittee shall submit monitoring reports to the Division of Land Use Regulation no later than December 31<sup>st</sup> of each full monitoring year. All monitoring reports must include the standard items identified in the checklists entitled Wetland Mitigation Monitoring Project Checklist and Tidal Wetland Mitigation Monitoring Checklist and the information requested below. The Wetland Mitigation Monitoring Project Checklist and Tidal Wetland Mitigation Monitoring Checklist are located on the Internet at <http://www.nj.gov/dep/landuse/forms/index.html>.
48. All monitoring reports must include all of the following information:
- a. All monitoring reports except the final one must include documentation that it is anticipated, based on field data, that the goals of the wetland mitigation project including the transition area, as stated in the approved wetland mitigation proposal and the permit will be satisfied. If the permittee is finding problems with the mitigation project and does not anticipate the site will be a full success then recommendations on how to rectify the problems must be included in the report with a time frame in which they will be completed;
  - b. All monitoring reports except the final one must include field data to document that the site is progressing towards 85 percent survival and 85 percent area coverage of mitigation plantings or target hydrophytes (Target hydrophytes are non-invasive native species to the area and similar to ones identified on the mitigation planting plan). If the proposed plant community is a scrub/shrub or a forested wetland the permittee must also demonstrate each year with data that the woody species are thriving, increasing in stem density and height each year. If the field data shows that the mitigation project is failing to meet the vegetation survival, coverage and health goals, the monitoring report should contain a discussion of steps that will be taken to rectify the problem, including a schedule of implementation;
  - c. All monitoring reports except the final one must include documentation of any invasive or noxious species (see below for list of species) colonizing the site and how they are being eliminated. The permittee is required to eliminate either through hand-pulling, application of a herbicide or other Department approved method any occurrence of an invasive/noxious species on the mitigation site during the monitoring period;
  - d. All monitoring reports except the final one must include documentation that demonstrates the proposed hydrologic regime as specified in the mitigation proposal appears to be met. If the permittee is finding problems with the mitigation project and does not anticipate the proposed hydrologic regime will be or has not been met then recommendations on how to rectify the problem must be included in the report along with a time frame within which it will be completed;
  - e. The final monitoring report must include documentation to demonstrate that the goals of the wetland mitigation project including the required transition area, as stated in the approved wetland mitigation proposal and the permit, has been satisfied. Documentation for this report will also include a field wetland delineation of the wetland mitigation project based on techniques as specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989);

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- f. The final monitoring report must include documentation the site has an 85 percent survival and 85 percent area coverage of the mitigation plantings or target hydrophytes. The permittee must also document that all plant species are healthy and thriving and if the proposed plant community contains trees demonstrate that the trees are at least five feet in height;
  - g. The final monitoring report must include documentation demonstrating the site is less than 10 percent occupied by invasive or noxious species.
  - h. The final monitoring report must include documentation that demonstrates that the proposed hydrologic regime as specified in the mitigation proposal, which proves the mitigation site is a wetland has been satisfied. The documentation shall include when appropriate monitoring well data, stream gauge data, photographs and field observation notes collected throughout the monitoring period; and
  - i. The final monitoring report must include documentation that the site contains hydric soils or there is evidence of reduction occurring in the soil throughout the delineated wetlands.
49. Once the required monitoring period has expired and the permittee has submitted the final monitoring report, the Division will make the finding that the mitigation project is either a success or a failure. This mitigation project will be considered successful if the permittee demonstrates all of the following:
- a. That the goals of the wetland mitigation project including acreage and the required transition area, as stated in the approved wetland mitigation proposal and the permit, has been satisfied. The permittee must submit a field wetland delineation of the wetland mitigation project based on the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989) which shows the exact acreage of forested wetlands in the mitigation area;
  - b. The site has an 85 percent survival and 85 percent area coverage of the mitigation plantings or target hydrophytes which are species native to the area and similar to ones identified on the mitigation planting plan. All plant species in the mitigation area are healthy and thriving. All trees are at least five feet in height;
  - c. The final monitoring report must include documentation demonstrating the site is less than 10 percent occupied by invasive or noxious species.
  - d. The site contains hydric soils or there is evidence of reduction occurring in the soil; and,
  - e. The proposed hydrologic regime as specified in the mitigation proposal has been satisfied. This criteria must be satisfied to prove the mitigation site is a wetland.
50. All remaining financial surety, if required, will be released concurrent with the Division notifying the permittee that the mitigation project is a success.
51. If the mitigation project is considered a failure, the permittee is required to submit a revised mitigation plan in order to meet the success criteria identified in Condition No. 20 above. The plan shall be submitted within 30 days of receipt of the letter from the Division indicating the wetland mitigation project was a failure. The financial surety, if required, will not be released by the Division until such time that the permittee satisfies the success criteria as stipulated in condition number 20.

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52. If the permittee fails to perform mitigation within the applicable time period the acreage of mitigation required shall be increased by 20% each year after the date mitigation was to begin.

53. The drawings hereby approved are four (4) sheets prepared by the US Army Corps of Engineers, Philadelphia District, dated July 27, 2009, unrevised, entitled:

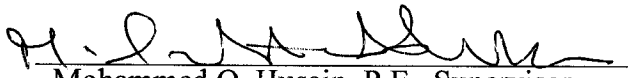
“BERGERVILLE ROAD, MANASQUAN RIVER, MONMOUTH COUNTY, NEW JERSEY STREAMBANK STABILIZATION”

“EXISTING CONDITION LIMIT OF DISTURBANCE”, sheet 1 of 4,

“PLAN CCS WALL WITH GRADING”, sheet 2 of 4,

“CROSS SECTIONS STATION 2+00 TO 3+50”, sheet 3 of 4, and

“CROSS SECTIONS STATION 3+75 TO 4+75 TYPICAL SECTION”, sheet 4 of 4.

  
Mohammed Q. Husain, P.E., Supervisor  
Bureau of Coastal Regulation

10/27/09  
Date